

MINUTES

Committee:	SENTENCING COMMISSION
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Date:	Wednesday, September 6, 2000	Time:	12:00 pm	Place:	Room 403
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Members Present	Camille Anthony, David Bateman, Paul Boyden, Blake Chard, Rep. Greg Curtis, Pete Haun, Rep. Neal Hendrickson, Julie Holbrook, Steven Kelly, Judge Tyrone Medley, G. Fred Metos, Joel Millard, Judge David L. Mower, John T. Nielsen, Patrick B. Nolan, Judge Sterling Sainsbury, Michael Sibbett, Russ Van Vleet, Judge Robert S. Yeates.
Members Absent	Judge Judith Billings, Mary S. Corporon, Chief Sam Dawson, John Hill, Steven B. Kelly, William C. Nelsen, Reed M. Richards, Sen. Pete Suazo
Staff	Gary Franchina, Ron Gordon, Mike Haddon, Jo Lynn Kruse, Ed McConkie
Visitors	Jennifer Yim, Justice Mike Zimmerman

Agenda Item:	Welcome and Approval of Minutes By Ed McConkie
Notes:	A special welcome was given to former Representative Blake Chard, newest member of the Sentencing Commission and new director of Youth Corrections. Judge Yeates motioned to approve the May and August Minutes, the motion

	was seconded by Patrick B. Nolan and was unanimously approved .
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Agenda Item:	New Minutes Format
Notes:	Ed McConkie explained that the new abbreviated format for meeting minutes is being used by the entire Justice Commission and sister commissions and sub-committees with the intent to record main agenda items, assignments and motions in an abbreviated form.

Agenda Item:	Executive Committee Recommendation
Notes:	Ed passed out a letter titled <i>Coalition to Stop Drug Dealer Profits</i> that is signed by Sheriff Lacy of San Juan County, Utah Sheriff's Association and Chief Jon Greiner of Ogden Police, Utah Chief's Association. It invites the Sentencing Commission to join the efforts to fight Initiative B (ballot initiative that would severely restrict asset forfeiture powers). The Executive Committee after reviewing the letter made a recommendation that we respectfully decline this effort because it does not fall within the statutory scope of the Sentencing Commission. Paul Boyden motioned that the Sentencing Commission take no position. Greg Curtis asked to amend the motion to say that it is beyond the scope of the commission. Paul Boyden made that motion and Fred Metos seconded it. After further discussion, the Sentencing Commission unanimously decided to move on to the next agenda item.

Agenda Item:	Future Meetings Agendas

Notes:	<p>The first Wednesday in October we will receive a number of specific legislative recommendations from the Anomalies Sub-Committee. Four bills will be forthcoming.</p> <p>November we will reserve a primary agenda item for our tracking policy.</p> <p>December is open. Most likely there will be some legislative items that will need to be addressed as well as carry-over items from previous meetings.</p> <p>Please reserve first Wednesday of the month for the next three months.</p>
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Agenda Item:	Final Report from Task Force on Race & Ethnic Fairness in the Justice Systems - John T. Nielsen
Notes:	<p>John T. Nielsen briefly discussed the Task Force's press conference that preceded this meeting and wanted to address specifically the sentencing related issues of the task force. He then introduced Judge Medley, Justice Zimmerman and Jennifer Yim.</p> <p>Judge Medley urged the commission to carefully consider the relevant sentencing points of the report and work toward implementation.</p> <p>Justice Zimmerman stated that the task force is unanimous regarding support of the recommendations. The Justice System has great power and it is central to our mission to study these issues. Judges must be sensitive to the power that they have.</p> <p>Jennifer Yim specifically addressed several Task Force recommendations concerning the Sentencing Commission.. Pete Haun and Michael Sibbett added that they support the recommendations. Pete Haun motioned to accept 6, 7, 14, 15 & 17, Michael Sibbett seconded the motion and was passed unanimously. Mike Haddon stated that the CCJJ Research Department could do the recommended research. Pete Haun expressed concern about 19 (the way it's positioned) it seems that someone is saying a risk focus assessment process is not compatible with mitigating factors influencing the sentencing process. Russ Van Vleet agreed that there needs to be training to look at mitigating and aggravating factors. Ed McConkie said that the language should include the words <i>as well as</i> rather than <i>opposition to</i>. Russ Van Vleet made the motion to address those two research items, Michael Sibbett seconded the motion. The motion passed unanimously.</p>

Agenda Item:	Sentencing Commission Meeting Schedule B
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Notes:	<p>Ed McConkie announced that Mike Haddon (CCJJ Research Director) is moving on to a new job in the private sector and introduced the newest member of our research team, Gary Franchina.</p> <p>The next Sentencing Commission meeting is set for Wednesday, October 4, 2000 at noon.</p>
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Minutes prepared by Jo Lynn Kruse

Executive Secretary CCJJ